

**REMARKS/ARGUMENTS**

Claim 17 has been rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter. However, claim 17 is phrased as a “propagated signal claim” in which the signal comprising specific instructions for a computer is embodied in a transmission or carrier wave. This type of claim was introduced in the U.S.P.T.O. Training Materials for examiners that was distributed in conjunction with the “ Examination Guidelines for Computer-Implemented Inventions.” The electronic transmission or carrier wave is considered as an article of manufacture. Accordingly, claim 17 is allowable in its current form.

Claims 1-16 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Blossey et al (U.S. Patent No. 6,057,930) in view of applicant’s submitted prior art.

This rejection of claims 1-16 is improper as it fails to present a prima facie case of obviousness. Blossey et al do not teach any type of manipulation of a print file, particularly any manipulation that effects collated, face-up printing on a printer that does not individually have this feature. Blossey et al teach a method for receiving scan jobs and print jobs and managing the order or priority in which the jobs are executed. Blossey et al also teach spooling scan and print jobs and decomposition of PCL language jobs into a printer-ready format. However, Blossey et al do not teach the use of a page-independent index file in any form. Nor do Blossey et al teach manipulation of a print job in a manner that changes the end-product or output of the print job other than the order in which jobs are performed. Furthermore, Blossey et al and the submitted prior art do not contain any teaching or motivation to combine the face up and collated output of the prior art with the teachings of Blossey et al. This is largely because the teachings

of Blossey et al cannot be combined with prior art to achieve any kind of face-up or collated printing as Blossey et al do not disclose any way to manipulate the output of the print job.

Independent claims 1, 8, 9, 13, 15 & 16 and all claims dependent thereon all comprise the element of a "page-independent index file." The page-independent index file comprises page-independent file data including a job header, job footer and data corresponding to the front and back of each sheet of the print job (application, p.22, lines 13-16; p. 23, line 1). Using the index file, a custom print processor can manipulate the file to achieve different sheet assembly and formatting options (p. 23, lines 2-4) such as changing a print job to face-up format and collating a print job for a face-up format. In specific embodiments, the index file may comprise a spool header, print job commands, document data, a print job footer and one or more sequences of page persistent commands, page commands and page data. (p. 25, lines 2-5).

Nowhere in Blossey et al is there a description of a page-independent index file that can be used to manipulate pages individually. The examiner cites Blossey et al (col. 2, line 65 to col.3, line 2) as reading on the page-independent index file. Blossey et al, at this location, describe a simple print job, common in the art, that is received over a computer network. Blossey et al describe the print job as having a PDL portion that describes job content and a "job description" portion that contains instruction regarding job formatting (i.e., number of copies, size and color of paper, output tray selection, etc.). Blossey et al, at this location or any other, do not disclose a page-independent index file as claimed in claims 1-16 & 17 as well.

Accordingly claims 1-16 should be allowed in their current form.

Claims 1-16 have also been rejected under 35 U.S.C. §103(a) as being unpatentable over Barry et al (U.S. Patent No. 6,825,943) in view of Young (U.S. Patent No. 5,749,024) and applicant's submitted prior art.

This rejection of claims 1-16 is also improper as it fails to present a prima facie case of obviousness. Barry et al disclose a method for splitting a print job into several portions for parallel RIP processing. In this process, Barry et al disclose the use of a "control file" that contains parameters for managing the portions for parallel RIP processes. This file is updated to keep track of the various portions while they are being apportioned. However, this control file is not analogous to the page-independent index file of these claims. Barry et al, or any combination of Barry et al and Young or other prior art do not disclose a page-independent index file that can be used to change the face-up or face-down characteristics of a print job. The control file of Barry et al effects no face-up or face-down changes or any other change that effects the output of the print job.

The examiner cites Barry et al (Fig. 1a; col. 3, lines 15-19 & col. 6, lines 9-13) as disclosing the page-independent index file. However, these references do not disclose anything related to the page-independent index file. Fig. 1a shows a block diagram disclosing a control file (110) that is created in the spooling process. Fig. 1a has no reference to a page-independent index file that can be used to effectuate face-up or face-down output. Barry et al at col. 3 lines 15-19 disclose that the control file is "for storing job control information" and that it "may be a storage location or it may be merely a temporary data file that travels with the print job." Column 3 has no reference to a page-independent index file that can be used to effectuate face-up or face-down output. Barry et al at column 6, lines 9-13 disclose that the control file

“contains operating parameters and program operators for controlling the operation of the processing of the print job file.” Taken in context, this clearly relates to control of the multiple RIP processes. Again, there is no reference to a page-independent index file of any kind and, in particular, one that can be used to effectuate face-up or face-down output.

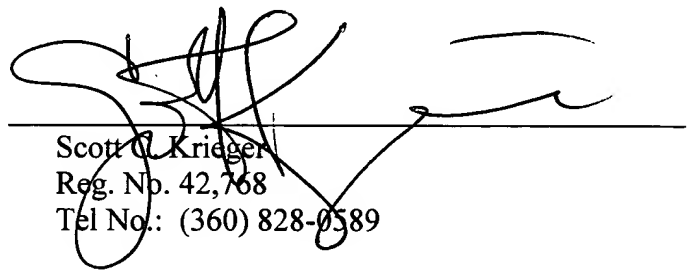
The examiner further cites Young and applicant’s admitted prior art only as disclosing collation and face-up or face-down printing, which applicant admits are known in the art when accomplished by other methods that require special apparatus or dedicated drivers. Young and any admitted prior art do not disclose anything related to a page-independent index file nor do they teach any motivation to combine known methods with applicant’s page-independent index file.

As claims 1-16 & 17 all comprise the element of a page-independent index file, which is not found in any combination of the prior art, these claims should be allowed in their present form.

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Amdt. dated August 30, 2005  
Reply to Office action of May 4, 2005

In light of the arguments above, all claims are considered to be novel, non-obvious and patentable in view of the cited art. Applicant respectfully requests that the Examiner promptly allow these claims and proceed with issuance of this application. The Examiner is invited to contact applicant's attorney directly for any reason.

Respectfully submitted,



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